

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 677 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

1 -5 No

VITHALBHAI N PATEL

Versus

LEKHIBEN, WD/O SOMABHAI KALIDAS, DECD., THRO: HER HEIRS

Appearance:

MR N.K. MAJMUDAR WITH MR. RJ OZA for Petitioner

MR AJ PATEL for Respondent No. 1

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 15/12/97

ORAL JUDGEMENT

This Revision Application under Section 29(2) of the Bombay Rent Hotel and Lodging Rates Control Act, 1947 (hereinafter referred to as 'the Act') has been filed by the tenant-defendant against the order of Third Extra Assistant Judge, Baroda who dismissed the Revision

Application filed against the order of the Small Causes Judge dated 31.12.1976. Admittedly, the present Revision Application is a second Revision. Relying on the decision of the apex court in the case of VISHESH KUMAR VS. SHANTI PRASAD reported in AIR 1980 SC 892 and AUNDAL AMMAL VS. SADASIVAN PILLAI reported in AIR 1987 SC 203 this court in judgement rendered in Civil Revision Application No. 1421 of 1997 decided on 11.12.1997 has held that second revision application is not maintainable. In view of this, the Revision Application is dismissed as not maintainable. Rule is discharged.

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